

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DAVID ALLEN and ASHLEE ALLEN, individually
and as guardians ad litem for XAVIER ALLEN,
an infant, et al.,

Plaintiffs,

-against-

ROBERT'S AMERICAN GOURMET FOOD, INC.

Defendant.

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ROBERT'S AMERICAN GOURMET FOOD, INC.

Third-Party Plaintiff,

-against-

VAN DE VRIES SPICE CORPORATION, et al.,

Third-Party Defendants.

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NICHOLAS G. GARAUFIS, United States District Judge.

The Report and Recommendation ("R&R") of Magistrate Judge E. Thomas Boyle dated August 12, 2009, though unopposed, has been reviewed by the court and is hereby adopted in its entirety. The settlement to the infant plaintiffs is approved as set forth in the R&R. The parties are directed to file a stipulation of discontinuance.

SO ORDERED.

Dated: Brooklyn, New York
September 4, 2009

s/Nicholas G. Garaufis

NICHOLAS G. GARAUFIS
United States District Judge